



PSC NEWS

Missouri Public Service Commission

Contact: Kevin Kelly

Phone: (573) 751-9300

Governor Office Building, Suite 900

FY-02-138

PSC TO HOLD LOCAL PUBLIC HEARING IN COMPLAINT CASE

Jefferson City (March 4, 2002)---The Missouri Public Service Commission will hold a local public hearing on **March 11, 2002**, to receive customer comment in a complaint case the Office of the Public Counsel (OPC) has filed against Warren County Water & Sewer Company.

The local public hearing on March 11, 2002, will begin at 6:00 p.m. in the clubhouse at Incline Village. This building meets the accessibility standards required by the Americans With Disabilities Act.

On September 26, 2001, the Office of the Public Counsel filed a complaint against Warren County Water & Sewer Company alleging:

- 1) The Company knowingly discharged pollutants, to wit: sewage waste water, from a point source at its Incline Village sewage treatment system, into the Incline Village Lake.
- 2) The Company failed to construct and install a necessary water storage tank for its drinking water system. Further, although the Commission approved the Company's request to obtain financing for the storage tank, and the Company obtained a permit to construct the water storage tank, no construction occurred, and the Company allowed the permit to expire. As a result, Office of the Public Counsel alleges, there is inadequate storage for water and many customers experience problems related to lack of storage, including low water pressure.
- 3) The Company previously engaged in business practices regarding contracting for utility work which were contrary to the provisions contained in its tariff.
- 4) The Company, Office of the Public Counsel alleges, that it has been operating its two sewer plants without a valid permit from the Department of Natural Resources during the summer of 2001.
- 5) The Company has failed to perform its duties to install and repair water and sewer mains in a safe and professional manner.
- 6) The Company, Office of the Public Counsel alleges, has a significant history of violating

(more)

provisions of the Missouri Clean Water Law regarding discharges of effluent from its sewer treatment plant in violation of state law and Department of Natural Resources regulations.

7) The Company has been cited by the Missouri Department of Natural Resources for having excessive amounts of chlorine in its drinking water system.

8) The Company, Office of the Public Counsel alleges, engages in poor management practices, including failure to timely file reports with the Missouri Public Service Commission, the Department of Natural Resources and the Secretary of State, and failure to timely pay required assessments and fees required to continue to operate the Company in good standing. The Company, OPC alleges, has an extremely poor customer service record.

9) On May 17, 2001, OPC alleges, the Company was in violation of safety regulations concerning accessibility of the public to its two sewer treatment facilities, in that there was not an adequate locked fence around either facility, as required by 10 CSR 20-8.140(9).

This condition was observed by members of the Public Service Commission Staff and the Office of the Public Counsel.

The Office of the Public Counsel has asked the Commission to undertake such procedures as are necessary to: 1) direct the Company to cease and desist from acts and omissions in violation of Missouri law; and 2) place the system under the control and responsibility of a receiver.